

Board of Environmental Review Contested-Case Decision Summary
May 13, 2008 Meeting

- Thompson River Co-Gen, Permit #3175-04
 - To date, the BER order has not been issued final for this case.
 - Permit remanded back to Department to “conduct a thorough, top-down supplemental BACT analysis for periods of non-steady state operation”
 - Recommendation that “permit be revised to include enforceable conditions to assure compliance with the newly established BACT-determined emission limits as well as the NAAQS for periods of non-steady state operation.” Combustion of worst-case allowable coal under permit #3175-04 could theoretically have resulted in a violation of the permit limit and SO₂ NAAQS during uncontrolled non-steady state operations.
- Southern Montana Electric Generation and Transmission Cooperative – Highwood Generating Station, Permit #3423-00
 - To date, the Department has not seen the proposed order for this case.
 - The Department understands the BER’s decision concerning the issues heard during the contested case hearing to be that the BER is remanding a portion of SME’s air quality permit to the Department for a top-down PM-2.5-specific BACT analysis for SME’s CFB boiler.
 - Under permit #3423-00, the Department analyzed PM-10 as a surrogate for PM-2.5 through the BACT process.